



FH  
[REDACTED]

**STATE OF WISCONSIN**  
**Division of Hearings and Appeals**

---

In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]

DECISION

MPA/173767

---

**PRELIMINARY RECITALS**

Pursuant to a petition filed April 16, 2016, under Wis. Stat. §49.45(5), and Wis. Admin. Code §HA 3.03(1), to review a decision by the Division of Health Care Access and Accountability (DHCAA) in regard to Medical Assistance (MA), a telephonic hearing was held on June 07, 2016, from Milwaukee, Wisconsin. The matter was held open 1 day post-hearing for petitioner to submit additional information, which was received and forwarded to the DHCAA for review. On June 8, 2016 the DHCAA submitted its response to that review which indicated that the requested periodontal scaling of Areas 20, 30, and 40 (procedure code D4342) was now approved.

There is no issue for determination as the matter is now moot.

There appeared at that time and place the following persons:

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Respondent:

Department of Health Services  
1 West Wilson Street, Room 651  
Madison, Wisconsin 53703

By: written submittal of [REDACTED]

Division of Health Care Access and Accountability  
1 West Wilson Street, Room 272  
P.O. Box 309  
Madison, WI 53707-0309

**ADMINISTRATIVE LAW JUDGE:**

Kelly Cochrane  
Division of Hearings and Appeals

### FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Walworth County.
2. On or about January 15, 2016, a prior authorization (PA) request was submitted on the petitioner's behalf for periodontal scaling and root planning for Areas 10, 20, 30 and 40.
3. On March 22, 2016 the agency issued written notice of denial to that PA request for periodontal scaling and root planning for Areas 20, 30 and 40, but approved the periodontal scaling and root planning for Area 10. Petitioner timely appealed therefrom.
4. A telephonic hearing was held on June 7, 2016. The matter was held open 1 day post-hearing for petitioner to submit additional information, which was forwarded to the agency for review. On June 8, 2016 the DHCAA submitted its response to that review which indicated that the requested periodontal scaling of Areas 20, 30, and 40 (procedure code D4342) was now approved.

### DISCUSSION

The petitioner appealed from the denial of a prior authorization request for periodontal scaling of Areas 20, 30, and 40 (procedure code D4342). However, the DHCAA subsequently approved the request by way of communication with [REDACTED], following submission of additional information after the hearing. Because the DHCAA has now approved the requested service, the issue is moot and there is nothing for me to order here.

**The petitioner needs to provide this Decision to her dental provider, and the provider must submit a new prior authorization request, along with a copy of this Decision to receive the approved coverage.**

### CONCLUSIONS OF LAW

Because the DHCAA has now approved the periodontal scaling of Areas 20, 30, and 40 (procedure code D4342), the issue is moot.

**THEREFORE, it is**

**ORDERED**

That the petition herein be dismissed.

### **REQUEST FOR A REHEARING**

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

**APPEAL TO COURT**

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those identified in this decision as “PARTIES IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Milwaukee,  
Wisconsin, this 8th day of June, 2016

---

\sKelly Cochrane  
Administrative Law Judge  
Division of Hearings and Appeals



**State of Wisconsin\DIVISION OF HEARINGS AND APPEALS**

Brian Hayes, Administrator  
Suite 201  
5005 University Avenue  
Madison, WI 53705-5400

Telephone: (608) 266-3096  
FAX: (608) 264-9885  
email: [DHAmail@wisconsin.gov](mailto:DHAmail@wisconsin.gov)  
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on June 8, 2016.

Division of Health Care Access and Accountability